

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

RUSSELL BRAMMER,)	
)	
)	
Plaintiff,)	
v.)	Civil Action No.: 1:17-cv-01009-CMH-IDD
)	
VIOLENT HUES PRODUCTIONS, LLC,)	
)	
Defendant.)	
)	

JOINT STIPULATION OF UNDISPUTED FACTS

Pursuant to the Court’s December 1, 2017 Order [ECF No. 15] and the Parties’ Joint Discovery Plan [ECF No. 28], Plaintiff Russell Brammer and Defendant Violent Hues Productions, LLC, by and through undersigned counsel, submit the following Joint Stipulation of Undisputed Facts.

JSUF 1. Plaintiff created the photograph entitled “Adams Morgan at Night” (“the Photo”) on November 19, 2011.

JSUF 2. Plaintiff published the Photo to his personal website (www.russellbrammer.com) in 2012.

JSUF 3. Plaintiff published the Photo to his personal “Flickr” webpage (www.flickr.com/photos/rbrammer/) on December 10, 2012.

JSUF 4. Plaintiff uploaded the Photo to his personal “Smugmug” webpage (russellbrammer.smugmug.com) and to his personal Facebook page.

JSUF 5. Plaintiff’s Smugmug webpage contains no indication that the Photo is copyrighted.

JSUF 6. Plaintiff alleges that the copyright infringement at issue in this matter began on or about September 1, 2016.

JSUF 7. Plaintiff filed a copyright registration application for the Photo on September 30, 2016.

JSUF 8. Plaintiff filed the copyright registration application for the Photo after the infringement alleged in this matter began.

JSUF 9. The U.S. Copyright Office Certificate of Registration number VA 2-056-245 was made within five years of first publication of the Photo.

Dated: April 19, 2018

Respectfully submitted,

/s/ Paul J. Weeks

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/s/ David C. Deal

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